



Entered on Docket  
September 01, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

Rob Charles (NV 6593)  
John Hinderaker (AZ 018024)  
Marvin Ruth (NV 10979)  
3993 Howard Hughes Parkway, Ste. 600  
Las Vegas, Nevada 89169-5996  
Telephone (702) 949-8320  
Facsimile (702) 949-8321  
Email: [rcharles@lrlaw.com](mailto:rcharles@lrlaw.com)  
[jhinderaker@lrlaw.com](mailto:jhinderaker@lrlaw.com)  
[mruth@lrlaw.com](mailto:mruth@lrlaw.com)

*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,<sup>1</sup>  
USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,<sup>2</sup>  
USA SECURITIES, LLC,<sup>3</sup>  
Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OMNIBUS  
OBJECTION OF USACM TRUST TO  
PROOFS OF CLAIM BASED UPON  
INVESTMENT IN THE 3685 SAN  
FERNANDO ROAD PARTNERS LOAN**

Hearing Date: August 21, 2009  
Hearing Time: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1 The Court having considered the “Omnibus Objection of USACM Trust to Proofs  
2 of Claim Based Upon Investment in the 3685 San Fernando Road Partners Loan” [Docket  
3 No. 7243] (the “Objection”); with appropriate notice of the Objection having been given;  
4 with no response to the Objection having been filed; and good cause appearing:

5 **IT IS HEREBY ORDERED** that:

- 6 1. The Objection is sustained; and  
7 2. The claims listed in **Exhibit A** are disallowed in full.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10 By /s/ Marvin Ruth (#10979)

11 Rob Charles  
12 John Hinderaker  
13 Marvin Ruth

14 3993 Howard Hughes Parkway, Ste. 600  
15 Las Vegas, Nevada 89169-5996

16 Telephone: (702) 949-8200

17 Facsimile: (702) 949-8398

18 *Attorneys for USACM Liquidating Trust*  
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In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in this case.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below (list each party and whether the party has approved, disapproved, or failed to respond to the document):

U.S. Trustee: August Landis	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

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Submitted by:

**LEWIS AND ROCA LLP**

By: /s/ Marvin Ruth (#10979)  
 Rob Charles  
 John Hinderaker  
 Marvin Ruth  
*Attorneys for USACM Liquidating Trust*

## **EXHIBIT A**

USACM TRUST  
3685 SAN FERNANDO ROAD  
SINGLE LOAN CLAIMS

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the 3685 San Fernando Road
10725-01780	Rehberger Family Trust Dtd 6/17/92	C/O Annemarie Rehberger Po Box 3651 Incline Village, NV 89450	50,000.00	50,000.00
10725-01479	Triantos, Rory L	13843 Malcom Ave Saratoga, CA 95070-5314	101,527.68	101,527.68
10725-01245	Virani, Arif & Salima	774 Clove Ct. Henderson, NV 89012-0723	50,000.00	50,000.00
10725-01201	Virani, Aris & Salima	774 Clove Ct. Henderson, NV 89012	50,000.00	50,000.00
10725-00975	Williams, Susan Marie	Po Box 9270 Truckee, CA 96162	70,000.00	70,000.00
10725-00541	Beryl Winer Family Trust	C/O Beryl Winer Trustee 776 Birdbay Way Venice, FL 34285-6142	60,000.00	60,000.00
10725-00393	Gross, Mary Margaret	717 Merialdo LN Las Vegas, NV 89145	50,780.00	50,780.00
10725-00030	Burrus, Timothy F & Joann Ortiz-Burrus	Del Hardy Esq Hardy Law Group 96-98 Winter St Reno Nv 89503-5605	50,000.00	50,000.00
10725-00292	C. Zrudsky Inc.	Attn: Coleen Zrudsky 5731 S. Youngfield Street Littleton, CO 80127	54,355.00	54,355.00
10725-00266	Arechiga, Albert	4800 Marconi Ave #137 Carmichael, CA 95608	75,000.00	75,000.00

Loan Name 3685 San Fernando Road Partners, LP

USACM TRUST

3685 SAN FERNANDO ROAD

SINGLE LOAN CLAIMS

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the 3685 San Fernando Road
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